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COUNSEL'S OFFICE

December 18, 1996

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The purpose of this letter is to respond to draft documents distributed at the December 11, 1996 CALFED meeting. This should also be considered as a part of the continuing input of the California Department of Food and Agriculture (CDFA) for the preparation of the CALFED Draft Programmatic EIR/EIS, State Clearinghouse number 96032083.

1. Draft document entitled "ISLAND PRIORITIZATION FOR SPECIAL PROJECTS," dated December 10, 1996.

Comment: Page two of this document has the objective "Agricultural Production" and under this are two criteria, "Value of Damageable Crops" and "Agricultural Lands." In addition to the dollar value and acreage, consideration also needs to be given to the classification of the farmland. Highest priority should be given to farmlands classified as "Prime," "Unique," and "Statewide Importance" in the Resources Agency, Department of Conservation, Farmland Mapping and Monitoring Program. The CDFA considers impacts on these categories of farmlands to be significant impacts on the environment.

2. Draft Document entitled "ASSISTANCE FROM CALFED AGENCIES' GEOGRAPHIC INFORMATION SYSTEM (GIS) PROGRAMS," dated December 11, 1996.

Comment I: The GIS database of the Resources Agency, Department of Conservation, Farmland Mapping and Monitoring Program must be incorporated into the GIS element of the CALFED program. This will facilitate focussing the draft EIR on the programs impacts, and will be essential for preparing a number of crucial elements of the CALFED Programmatic EIR including:

- An assessment of the existing extent of the beneficial use of the bay-delta ecosystem for agriculture.
- A range of reasonable alternatives, including alternative sites, which avoid impacts on agriculture, and thus facilitate meeting the CEQA requirement for a range of reasonable alternatives which avoid or reduce impacts.
- The extent and magnitude of unavoidable impacts on agriculture.
- Feasible mitigation measures to reduce the significance of unavoidable impacts on agriculture.
- A mechanism for monitoring and reporting the effectiveness of mitigation measures to reduce the significance of unavoidable impacts on agriculture.

I suggest that you contact Mr. Blake Rushworth of the Department of Conservation, Farmland

Mapping and Monitoring Program to work out the details of data transfer. His phone number is 916 324-7555.

Comment II: The databases of the California Environmental Protection Agency, Department of Pesticide Regulation (DPR) should also be evaluated for incorporation into the CALFED GIS program. It is my understanding that they are generally in GIS format or have coordinates in their data fields, which are amenable to translation into GIS. Given the attention that pesticide concentrations in water have been receiving in discussions of ecosystem restoration, the CALFED program should closely coordinate its work with DPR. For your reference, several key contacts in that agency are: John Troiano (916 324-4115) for pesticides in groundwater, and Candace Miller (916 324-4188) and Lisa Ross (916 324-4116) for surface waters.

DPR has active programs for monitoring, modeling, and data analysis on pesticides in runoff, including the tree-fruit dormant sprays which seem to be receiving the most attention in the CALFED discussions to date. DPR will be publishing a report on this subject in the Spring of 1997. Any statements regarding causality for ecosystem effects need be based on sound science and complete data, and need to be coordinated with DPR. Also any consideration of action of any kind on pesticide use must be in the context of the existing enforcement and regulatory systems, with the full participation of DPR and the regulated community.

Please contact me at 916 654-0473 if you have any questions or want additional information.

Sincerely,